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SUBJECT: FINLAND: 2005 TRAFFICKING-IN-PERSONS UPDATE

REF: 04 STATE 273089

1. (U) The Finnish Government is set to release its new National Action Plan for combating trafficking-in-persons sometime next week or the following week. The Plan will detail new GoF measures to develop a victim-centered approach to trafficking, a significant break with previous GoF policy.

Post hoped to have a copy of the National Action Plan before submitting this update; however, as the March 1 deadline for submission of TIP updates had already passed, we believe it best to submit the update as is with the caveats that: 1) some information, particularly as regards protection, may be inaccurate or incomplete given the pending release of the new Action Plan, and 2) Post's entire Justice and Home Affairs Committee has not reviewed the update. Post will submit a supplemental report as soon as the National Action Plan is available.

2. (U) The following TIP update for Finland is keyed to the checklist in ref tel paragraphs 18,19,20, and 21.

(18.) Overview

A: Finland is not a country of origin for trafficked persons. It is a destination and transit country for trafficked women and girls. Police and NGO's estimate that between 6000 to 8000 woman and girls enter Finland to engage in prostitution each year; a significant portion of these are probably trafficking victims brought into the country by foreign organized crime syndicates. These estimates are based on information collected by Finnish officials at ports-of-entry and by NGOs working with foreign prostitutes. However, are no official statistics compiled as regards trafficking victims, and the actual number of trafficked persons in Finland could be greater or lesser than the 6000-8000 range commonly cited by officials and NGOs alike. Since the women and girls typically remain in Finland for short periods, the 6000-8000 range refers to total entries per year. the actual number of trafficked women in Finland at any moment is probably much lower. There are no figures available for how many women are trafficked through Finland to other countries.

Most of the trafficked women are Russian or Estonian, although smaller numbers of Latvian, Lithuanian, Ukrainian, and Belarussian women have been detected in Finland. Beginning in 2004, Asian women of varying nationalities were also reported as having been trafficked to and through Finland. Finnish police believe that many of these are being transited through the country by Chinese crime syndicates (snakehead gangs). Russian and Estonian women brought into Finland by organized crime syndicates typically remain in the country for several weeks before returning to their country of origin; they may enter Finland multiple times each year. Organizers and leaders of these crime syndicates operate outside of Finland's borders and beyond the reach of its law enforcement. However, these organizations maintain lower-level members inside Finland to coordinate local operations; such persons may be foreign nationals or Finns.

B: Most women and girls trafficked to and through Finland come from Russia and Estonia. The EU's Schengen Treaty, which allows travellers already within EU borders to travel to any other EU country virtually without inspection, facilitates the use of Finland as a transit point for women from Russia and the Baltic countries. Economic coercion and exploitation of poor women seems to play more of a role in trafficking through Finland than physical coercion or deception. However, the latter does occur. A documentary on Finnish television on February 2005 carried an interview with a Latvian minor who said that she had been deceived into coming to Finland by being promised a job picking strawberries. Once inside the country, she had been forced to work in a brothel. The criminal syndicate (based in Latvia and Estonia) that trafficked her into Finland used threats against her family to coerce the young woman into returning to Finland several times to work as a prostitute. Women and girls who are trafficked through Finland to other countries typically obtain legal visas from Finnish consulates in St. Petersburg and Tallinn by claiming that they are coming to Finland to shop or visit friends. Once inside the country, they fly from Helsinki's Vantaa airport to western European cities with large red-light districts like Amsterdam, Brussels, and Berlin. The women may travel

alone, in small groups, or with a pimp or facilitator.

C: The Police report that the advent of direct air routes between Helsinki and several major Asian cities has facilitated the use of Finland as a transit point for Chinese traffickers. Once inside Finland, Asian trafficking victims travel from Helsinki to cities throughout Western Europe. Embassy personnel have witnessed the arrival at Helsinki's Vantaa airport of small groups of young Asian women who fit the profile of trafficking victims; the women, having arrived from Asia and cleared customs, immediately purchased tickets to Schengen-area onward destinations. Finnish authorities are aware of this, but report that in the absence of concrete evidence that such women are being trafficked, there is little that they can do since the women maintain that they are tourists and deny involvement with traffickers. The police are also wary of being accused of "racial profiling" in relation to focusing on Asian women or other non-Caucasians arriving at the airport.

D: Criminal intelligence analysts are aware of the major trafficking routes and monitor changes in these routes. Finnish police approach the situation as more of an organized crime/organized prostitution dynamic than a purely trafficking dynamic, and collect statistics accordingly; this makes it difficult to document the exact extent of the problem in Finland.

E: Most trafficking in Finland involves prostitution. Many foreign prostitutes work in night clubs catering to business and middle-class Finnish and foreign clientele, although some trafficked prostitutes may work on the street. Others, especially Estonians, work out of apartments that have been rented by criminal organizations. In the fall of 2004, a scandal occurred when police broke up a prostitution/trafficking ring that used apartments owned by the Russian Trade Mission; police are still investigating the extent of Russian Embassy personnel involvement in the operations. The conditions for the women who work in nightclubs are generally better; according to the police, they may see between 2-3 clients per night (if any), and negotiate directly with their clients. In the worst cases, the women may see between 5-10 clients per day.

Compliance methods vary. In some cases, passports may be withheld and violence used. In other cases, threats against the woman's family in her home country may be used to secure compliance. There is also evidence that electronic surveillance methods such as the use of closed circuit television cameras (CCTVs) outside apartments may be used to monitor the comings and goings of both prostitutes and clients. The CCTVs may be monitored remotely in Estonia or Latvia, for example. However, most women brought into Finland by criminal syndicates are poor, and economic necessity probably encourages them to cooperate with traffickers more often than physical coercion.

There is a lower incidence of trafficking for labor. Most of these cases involve persons coerced into working in ethnic restaurants and as maids. The trafficked persons are often relatives of the "employers." They are often forced to work long hours for low pay, and are often reluctant to come forward due to the cultural gap and fear of deportation or confinement. There are illegal workers in the construction and agricultural industries, but these workers are typically smuggled into Finland willingly rather than trafficked and are "free" after arrival.

F: Not applicable.

G: There is will at the highest levels of Government to combat trafficking. President Tarja Halonen participated in the "Stop Child Trafficking-Modern Day Slavery" conference in 2003 co-sponsored by the Embassy and the GoF, and has subsequently made combating TIP a priority. During the 2004 Istanbul NATO Summit, Halonen highlighted the importance of the new NATO EAPC anti-trafficking policy in her address. There have been no government officials linked to TIP, but it is highly likely that if there were, the official(s) would be prosecuted and, if found guilty, severely punished by Finnish standards. The Finnish Government and police pride themselves on their integrity, and corruption is not a significant problem in the country. Finland has ranked first for several years in a well known international survey of the least corrupt countries. The Finnish Government generally devotes relatively modest resources to law enforcement, and this is reflected in the resources it devotes to combat trafficking. Prevention efforts are chiefly made through regional multilateral institutions that try to address the root causes of TIP in source countries. Protection services have been minimal in the past, but the GoF is now considering the creation of a special Office of Victim's Advocate housed in the Ministry for Social Welfare as well as the creation of dedicated space in existing shelters for trafficking victims. (Note: This section will be updated once the GoF's National Action Plan is released). In the past, prosecution was

hampered by the absence of a legal statute against trafficking and the fact that traffickers typically remain outside the country. However, a new law went into effect in August 2004 criminalizing TIP for the first time.

H: Government officials and authorities do not condone trafficking.

I: Finland's overall crime rate is very low compared to other EU countries. As a result, law enforcement and prosecutors are chronically underfunded, and this affects the Finnish Government's ability to address trafficking. The Finnish Constitution also emphasizes civil liberties and, in practice, this sometimes constrains the state from pursuing investigations as aggressively as they might be pursued in some other countries. Corruption is not a problem in Finland.

J: In the past, the GoF viewed this issue as more of an organized crime/organized prostitution problem than as a trafficking problem, and accordingly did not systematically monitor its anti-trafficking efforts in the areas of prosecution, prevention, and protection. However, this began to change in 2004 as the GoF moved toward a victim-centered approach to trafficking. The Ministry for Foreign Affairs has indicated that Finland's new National Action Plan to combat trafficking (due in March 2005) will contain recommendations to develop a more government-wide, systematized monitoring approach. The GoF regularly reports and discusses TIP bilaterally with other governments and in multilateral fora such as the OSCE, the Nordic Council of Ministers, the Barents Sea States Council, the Council of Baltic Sea States, and others.

K: Prostitution is legal in Finland. It is unregulated. The age of consent is 18. Pimping and pandering are illegal.

In 2004 the police began to issue fines to clients soliciting sexual services in public. This was a high-level policy decision, and was possible under existing penal statutes without passing new legislation. The Justice Minister in 2004 announced that the Government would seek to make the purchase of all sexual services illegal, and set a 2005 target date. There is strong social opposition to criminalizing prostitution, however. Many feminist and women's welfare organizations in Finland argue that women should have the right to engage in prostitution if they so desire and/or that criminalizing prostitution would make the lot of prostitutes worse than it is currently is. It is unclear whether the GoF will seek to criminalize prostitution given the unpopularity of such a measure with the Finnish public.

19. Prevention

A: The Finnish Government acknowledges that trafficking is a problem in Finland.

B: The Ministries for Foreign Affairs, Interior, Justice, Labor, Education, and Social Welfare are all involved in combating TIP. They are all represented on the GoF's interagency anti-TIP working group which was established in 2004. The Human Rights Caucus of Finland's Parliament and its chairperson, Ulla Anttila, are involved in anti-trafficking efforts. The National Bureau of Investigation (NBI), Frontier Guards, Customs and Immigration, and various municipal police are all involved in anti-TIP efforts.

C: The Ministry for Social Affairs in 2004 ran an anti-trafficking campaign aimed at public awareness and demand reduction. Public awareness campaigns were also conducted in Finnish secondary schools. Most information and education campaigns inside Finland are carried out by NGOs; however, many of these receive grants from the Finnish Government. The GoF's prevention efforts are aimed at stopping trafficking in regional source countries before trafficked women enter the country. Finland actively participates in cooperative efforts among the Council of Baltic Sea States, the Nordic Council of Ministers, and the Barents Euro-Arctic Council to develop prevention measures. These organizations launched a "Nordic-Baltic Task Force Against Trafficking" on Nov. 27, 2003. The Task Force, which receives funding from the GoF, has a three-year mandate. The Task Force launched its first project in the fall of 2004 in the Murmansk and Archangel Oblasts in Russia. Working with Oblast officials, the GoF and other Nordic governments are developing and promoting economic alternatives for disadvantaged women and girls most at risk for trafficking.

Another GoF initiative, the "Nordic-Baltic Campaign Against Trafficking in Women," aims to increase cooperation among women's organizations and NGOs not previously involved in trafficking issues in regional source countries. The "Campaign" has, among other activities, sponsored demand-reduction efforts in airports, harbors, and other ports-of-entry in Finland. In May 2004, Finland's MFA provided a 2,521,000 Euro grant to the International Organization for Migration (IOM) for "trafficking prevention

and capacity-building" in Nordic-Baltic regional source countries. This grant was the largest TIP-related grant the GoF has ever made, and one of the largest single grants that Finland has ever given to any non-governmental organization. The Embassy in the fall of 2004 also facilitated a successful grant proposal for a Finnish-Estonian NGO project that aims to raise public awareness and provide victim assistance services and build cooperation between Finland and Estonia.

D: See above response to Section 19 C.

E: The Government has the ability and will to support prevention campaigns, as described in paragraph 19 C.

F: The relationship between the GoF and NGOs on TIP has markedly improved since 2003; the decision by the GoF to develop a more victim-centered approach to combating TIP is primarily responsible for this. An interagency working group was created in the fall of 2004 to draft a new National Action Plan on trafficking, and NGOs were included on the working group. The GoF provides funding to NGOs from slot-machine revenues for services such as a phone hotline for abused or battered women (60,000-70,000 Euro in 2004) and a rape-crisis center (30,000-40,000 Euro in 2004). Although such services are not specific to trafficking victims, they are utilized by them as well as by Finnish victims of domestic abuse.

G: Finnish police and Frontier Guards adequately monitor its borders. Finland has a 900-mile border with Russia, the EU's longest contiguous border with a non-EU nation. Finnish officials monitor immigration and emigration patterns for evidence of trafficking using the most modern information technology. Data bases are shared among law enforcement organizations, and the same information on foreign applicants for admission is available to officials at any port-of-entry. Police believe that very few women are trafficked illegally into the country without inspection. Most enter with valid visas obtained at Finnish consulates abroad.

Finnish authorities interview and refuse entry to women suspected of being trafficked into the country for prostitution. They attempt to follow up with investigations of possible trafficking organizations whenever possible. Finnish consular officials in Russia and Estonia have difficulty in recognizing trafficking situations since even women with limited financial resources may credibly claim that they are travelling to Finland for short trips. Russia exerts political pressure on Finland to keep visa refusals low. Some women will discreetly tip off Finnish consular officials that they wish their visas refused, and the officials oblige. However, they usually do not follow up on such cases due to limited resources.

H: There is no multi-agency anti-TIP task force in the law enforcement community. However, there is an interagency working group at the policy level. Communication among various agencies about efforts to combat TIP is generally adequate.

I: In addition to the regional multilateral fora already mentioned, the GoF plays an active role in EU efforts to combat trafficking. The Finnish police maintain liaison officers in Estonia, Latvia, Lithuania and Russia. An Estonian liaison officer is stationed at NBI headquarters in Helsinki. In 2004, the Finnish police liaison in Latvia was involved in the investigation and eventual prosecution (in Latvia) of a Baltic trafficking ring that sent women and girls to Finland and Sweden.

In March 2005, Finland hosted a major NATO conference on the prevention, protection, and prosecution of TIP in areas of NATO crisis management operations. Finland is not a NATO member, but is an active participant in NATO's Partnership for Peace. The conference was co-hosted by Markus Lyra, Finland's Under-Secretary of State for Political Affairs, and Robert Simmons, NATO's Deputy Assistant Secretary General. The conference was aimed at sharing best practices in implementing the EAPC policy on combating TIP agreed to at the 2004 Istanbul Summit. It undertook, inter alia, to discuss the difficulties inherent in NATO anti-TIP policy given the different approaches to trafficking, prostitution, etc., among NATO member states.

J: The GoF in the fall of 2004 formed an interagency working group to draft a new National Action Plan to combat TIP based on a victim-centered approach. The working group is chaired by Johanna Suurpaa, the Director of the Unit for Human Rights at the Ministry for Foreign Affairs. Other members include representatives from the Justice, Interior, Labor, Social Welfare, and Education Ministries, from Parliament, from the State Prosecutors Office, from NBI and the Frontier Guards, and from NGOs. The group's final 50-page report, which will include the completed National Action Plan, will be released and published in mid-March 2005. The Embassy will report on the National Action Plan in

a supplemental septel as soon as it is released.

K: There is no single entity or person responsible for anti-TIP efforts, although Johanna Suurpaa, the Director of the MFA's Unit for Human Rights, is the Chair of the GoF's interagency working group.

20. Investigation and Prosecution of Traffickers

A: Finland in August 2004 enacted legislation making trafficking-in-persons a criminal offense. The law was lifted almost verbatim from that found in the Palermo agreement and covers both internal and external forms of trafficking. The law covers trafficking for purposes of sexual exploitation and for non-sexual purposes such as labor trafficking.

B: The maximum penalty for persons convicted of trafficking is 7 years for each count. This penalty is sufficient to allow the Finnish police to use electronic surveillance techniques such as wiretaps to investigate trafficking rings. There is no distinction made between sexual exploitation or forced labor as far as stipulated trafficking penalties are concerned.

C: The average penalty for rape is 2 years imprisonment.

D: There have not yet been any convictions under Finland's new anti-TIP law. However, police advise that there are investigations currently underway that could lead to charges. The Frontier Guards report that there were approximately 12 investigations in 2004 that led to multiple arrests and the break-up of prostitution rings; these arrests were of lower-level members of organized crime syndicates. Since the police have not kept separate statistics on trafficking-related arrests, they are unable to estimate how many individuals may have been prosecuted for pimping and related offenses who were traffickers. The average sentences for lower-level organized crime types was 6 months to one year in prison; some were deported to their country of origin. A high-profile investigation in 2004 by Finnish, Latvian, and Estonian law enforcement led to the break-up of a major prostitution ring that funneled women and girls from Estonia and Latvia to Finland. The traffickers were ultimately tried and convicted in Latvia.

E: Trafficking-in-persons to Finland is chiefly organized by Estonian and Russian crime syndicates based outside of Finnish territory. After the collapse of the Soviet Union, there was a period of bloody conflict in the Nordic-Baltic region for control over smuggling and trafficking routes. In the late 90's, these organizations reached a modus vivendi and divided Finland (and other countries) into different territories. Russian syndicates control Northern Finland, the Turku area, and share territory in Helsinki and Karelia. Estonian syndicates share control of Helsinki and control the Tampere and Central Finland areas. These criminal syndicates also engage in smuggling, narcotics trafficking, and non-genuine currency fraud. Employment, travel, and tourism agencies are not typically used as fronts for organized crime. There are several well known nightclubs in Helsinki that are controlled by or associated with crime organizations, trafficking, and prostitution. Government officials are not involved in this activity. Money is collected in cash and taken by land or sea ferry to Russia and Estonia for further distribution. There was a scandal in 2004 involving the Russian Trade Mission (housed in the Russian Embassy in Helsinki) and prostitution. According to Finnish authorities, Russian prostitutes were operating out of apartments owned or leased by the Russian Trade Mission. The Russian Embassy denied all knowledge of such activity. The investigation was still underway at the time this report was produced.

F: The GoF actively investigates trafficking cases. Electronic surveillance methods are allowable under Finland's new anti-TIP law.

G: The Government provides specialized training for officials in how to recognize and investigate TIP. The Embassy and the GoF collaborated to bring an expert TIP consultant (Nicholas Sensley) to Finland to act as an anti-trafficking trainer and catalyst for Finnish officials as they move to implement their new anti-trafficking legislation. Sensley conducted three full days of seminars addressing key Finnish players involved in anti-trafficking efforts from Sept. 13-15 2004. He conducted two practical workshops on "Collaboratively Combating Human Trafficking" (one for 35 law enforcement and prosecutorial officials representing all relevant Finnish agencies and districts, and one for 15 activists from key non-governmental organizations) and held roundtables with GoF policymakers (including the new interagency working group and Members of Parliament) on effective anti-TIP measures. After Sensley's visit, the NGO which hosted one seminar followed through on his advice and established a network of Finnish NGOs engaged in trafficking

prevention and/or victims' assistance. The group subsequently initiated cooperation with Finland's Central Criminal Investigations Police and are working together to maximize the resources and capabilities available at each of the participating NGOs.

H: The GoF actively collaborates with other governments in the investigation and prosecution of trafficking cases. According to the State Prosecutor's Office, Finland in 2004 collaborated on 7 major investigations of trafficking and prostitution rings with regional partners such as Estonia and Latvia. The most noteworthy case was that mentioned in paragraph 20 (D) involving women and girls trafficked from the Baltic countries to Finland, and which eventually resulted in convictions in Latvia.

I: The GoF in 2004 extradited a Finnish national to Latvia to stand trial for trafficking-in-persons. The Finn was ultimately convicted and sentenced to prison. The GoF in 2003 and 2004 brought charges against Finnish nationals residing in Finland for sex acts with minors in Russia and Estonia respectively. These cases received considerable attention in Finland and were clearly intended to send a signal to Finnish clients that the Government intends to track down and punish whenever possible Finns who engage in sex tourism with minors outside of Finland.

J: There is no government involvement in or tolerance of trafficking.

K: Not applicable.

L: Not applicable.

M: The GoF has signed and ratified the listed ILO, CRC, and UN conventions.

21. Protection and Assistance to Victims

A: In the past, the Finnish Government has provided only limited assistance to trafficking victims. Women from the Baltic countries are usually not deported and allowed to remain in Finland or return home voluntarily. Women from Russia and elsewhere are deported. The police sometimes make unofficial arrangements with shelters, NGOs, etc., to assist trafficking victims. The GoF also occasionally provides temporary residence in certain cases. However, in most cases, current policy is to ultimately deport foreign prostitutes. There are no Government-run shelters for trafficking victims and no HIV/AIDS screening facilities. Asylum seekers are provided temporary shelter in Government-run reception centers. Many asylum seekers disappear from these centers (which are open) and presumably leave Finland for elsewhere in the Schengen area.

This situation is expected to change in the near future. In 2004, the GoF announced that it would alter its previous approach to trafficking and develop a victim-centered approach to trafficking based on best practices in other countries. The Embassy played a significant role in encouraging the GoF to adopt this approach. In June, the Embassy organized a Voluntary Visitor (VOLVIS) program for a group of Finns from institutions that play different roles in the TIP dynamic. Representatives from the Foreign Ministry, Social Affairs Ministry, Parliament, Lutheran Church, and NGOs travelled to the U.S. to consult with American counterparts in several cities at the federal, state, and local level. The visit helped the Finns form an initial informal interagency anti-TIP network, and then in September, an official interagency working group was established to draft a new National Action Plan. The Chair of the new working group, Johanna Suurpaa, was one of the VOLVIS participants. The Action Plan, due out in March, will aim to implement the new victim-centered approach by eliminating practices such as the quick deportation of women who have come forward for help and by providing temporary shelter and economic options to victims.

In September of 2004 the GoF hosted a major OSCE conference on protection measures and victim assistance. More than 200 participants from a variety of countries participated in the two-day conference in Helsinki. The conference was co-chaired by Finland's Minister for Justice Johannes Koskinen. It was during this conference that the GoF announced the formation of the interagency group to draft the new National Action Plan and signaled its support for a victim-centered approach to trafficking.

B: The Finnish Government provides funding to several multilateral organizations such as the Nordic Council of Ministers, the Barents Euro-Arctic Council, and the Baltic Sea States Council, which in turn fund NGO victim-assistance projects outside Finland. Finland gave a major 2.5 million Euro grant to the IOM in 2004. Revenue from Government-controlled slot machine monopolies funds victim assistance measures such as those described in Paragraph 19

(F).

C: There is no screening or referral system in place to transfer victims placed in protective custody to NGOs, although the police report that they unofficially do this in some cases.

D: Finland has strong victims rights law, although in practice, many TIP victims are not informed of these rights by the police. Current government policy is either to release the women without assistance (Baltic nationalities) or deport them (Russia, etc.) Women are not abused or mistreated by government of police officials while in custody.

E: Finnish authorities encourage victims to assist in investigations in some cases; women who do so may be allowed to remain in Finland temporarily through stays of deportation and other means. However, police state that most women are reluctant to cooperate and wish to return to their country of origin (or simply be released) as quickly as possible. In theory, victims may bring charges against traffickers even if prosecutors decline to do so; however, this has never actually happened. Victims are not permitted to obtain employment. There is no victim restitution program.

F: There is no witness protection program in Finland.

G: See Paragraph 20. G on training.

H: There are no Finnish victims of trafficking who have been repatriated to Finland. Finland is not a source country for trafficked women and girls.

I: There are no NGOs specifically dedicated to working with TIP victims in Finland. However, there are several NGOs that focus on women's rights and general victim assistance issues which include assistance to trafficking victims. These include the umbrella organization "NYTKIS," "The National Council of Women in Finland," "Monika-Naiset," "The Finnish League for Human Rights Association," The Finnish UN Association," and the "Pro-Tupikiste" organization. These NGOs operate or fund shelters for battered women, a rape crisis center, phone hotlines for women in distress, and counseling services. The "Pro-Tupikiste" organization works with prostitutes and provides a gamut of services and information for them on issues such as HIV/AIDS and other health concerns.

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